

TOWN COUNCIL MEETING - WEDNESDAY EVENING - FEBRUARY 12, 2014

PRESENT: Parella, Herreshoff, Calouro, Stuart, and Sweeney

ALSO PRESENT: Antonio A. Teixeira, Town Administrator
Andrew M. Teitz, Esq., Assistant Solicitor
A. Archie Martins, Town Sergeant

The Council met in regular session on Wednesday evening, February 12, 2014 in the Town Hall, Council Chambers, beginning at 7:05 o'clock PM. Council Chairman Parella presiding:

PRESENTATION

Christine Crocker, Executive Director, RI Police
Accreditation Commission

Prior to the commencement of this evening's regular agenda, Police Chief Canario introduced Anthony Pesare and Christine Crocker of the Rhode Island Police Accreditation Commission. The guest presented Police Chief Canario with a certificate informing the Town that the Bristol Police Department was recently accredited and is now one of only five (5) police departments in the State to receive both State and National recognition.

Ms. Crocker, the Commission's Executive Director, explained the purpose of the accreditation and noted that this is based upon a review of the industry's best practices.

Police Chief Canario, Sergeant Ricardo Mourato and Patrolman John Nappi received the award on behalf of the Department. Police Chief Canario noted that Mourato and Nappi led the local accreditation team.

Police Chief Canario also recognized members of the Police Department present and visitors from neighboring communities. He also recognized Dean Robert W. McKenna of the Roger Williams University Law School who also participated in the accreditation.

Council Chairman Parella offered the Council's congratulations to the Police Department and informed those present that the Council was "very proud" of the accomplishment.

The remainder of the Council members extended their best wishes individually.

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Also prior to the commencement of this evening's regular agenda, the Clerk announced that there were requests for continuances concerning several agenda items.

Calouro/Herreshoff - Voted unanimously to continue agenda items H2 and H3 until the meeting of March 26, 2014.

Calouro/Herreshoff - Voted unanimously to continue agenda items D1, D2, D3 and H4 until the meeting of March 5, 2014.

Stuart/Sweeney - Voted unanimously to suspend the regular order of business to consider agenda item H6 at this time.

It is hereby noted for the record that discussion and action concerning agenda item H6 appears, in place, as found below.

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

Herreshoff/Calouro - Voted unanimously to approve the Consent Agenda.

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - January 29, 2014
(action items only)

Herreshoff/Calouro - Voted unanimously to approve these minutes as prepared and presented.

B. PUBLIC HEARINGS

1. Director of Community Development Williamson re Application for Zoning Map Change of Merritt Meyer, President, Mosaico Business and Community Development Corporation, for Bristol Industrial Park, 500 Wood Street - M (Manufacturing) to Rehab LDP (Rehab Land Development Project), **2nd reading for adoption**
 - a. Recommendation - Redevelopment Agency (approve)

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LATE ITEM b. Recommendation - Planning Board (approve with conditions)

LATE ITEM c. Bernice Iacovelli, 11 Rock Street re concerns

Herreshoff/Calouro - Voted
unanimously to continue this matter
until the meeting of March 5, 2014.

Prior to the vote taken, Council Chairman Parella opened the public hearing. Speaking in favor of the petition, on behalf of Mosaico, was Lane Sparkman. Ms. Sparkman provided an aerial view of the complex and explained that 40% of the serviceable space is essentially unsuitable for manufacturing due to the physical limitations of the buildings combined with the requirements of the fire code for manufacturing activities. She noted that the requested zone change will allow Mosaico to "open up" the types of usages with an overall goal of "cleaning-up the place." She explained that since it assumed responsibility for the property, Mosaico has removed thirty 30-yard containers of junk since the place was used formerly as a "dumping ground" by its former owners. She added that the new potential usage will provide the funds necessary to continue with the clean-up and rehabilitation of the buildings.

Councilman Sweeney asked to know about the usage by artists, research, and retail establishments with Ms. Sparkman explaining that the Planning Board's recommendation essentially limits the usage; eliminating residential and hospital uses from the proposed new zone. She added that these uses do not make sense for the property. She added however, that the Planning Board recommends against a restaurant with liquor license use and that Mosaico would like to have this remain as an option since it is of the opinion that some of the available space may lend itself well to this type of establishment.

Council Chairman Parella stated that she was not a "huge fan" of additional liquor licenses. Council Chairman Parella noted that the Council would have to make the determination as to whether or not a liquor license was suitable based upon the circumstances when a petition is filed.

Ms. Sparkman explained that Mosaico is looking only for the ability to attract a restaurateur and that it may be

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difficult to do so if a liquor license would never be considered.

Ms. Sparkman explained that Mosaico is making additional improvements to the site including remediation to the sewer and storm drainage lines - some of which are now combined.

Council Chairman Parella asked to know the priority for the continued clean-up and "physical aspects" of the property with Ms. Sparkman responding that these are "high on the list" and that doing so is weather dependent. She added that the Wood Street and Shaw's Lane frontages are "top priority" and that the Shaw's Lane corner is currently "really bad."

Council Chairman Parella asked to know if there was any plan concerning the locked gates at the end of some of the north-south streets abutting the complex with Ms. Sparkman responding that there are no plans to change the use of these gates which are currently locked and have remain locked for many years. It was noted that the gates are available for use in extreme emergency situations only.

Councilman Herreshoff noted that the zone change would not specifically prohibit manufacturing with Ms. Sparkman responding that it is the intention of Mosaico to have no less than 60% manufacturing on the site and that it will likely be a greater amount than 60% overall.

Councilman Sweeney asked to know if the fire suppression systems have been repaired with Ms. Sparkman responding that these repairs are ongoing.

Terri Moreira, Industrial Park Site Manager, explained the repair status of some of the buildings and confirmed that the reason for the zone change is that some of the buildings are simply unsuitable for modern manufacturing. She added that she is aware that manufacturers need "loading docks" and that some of the buildings do not have these.

A discussion ensued regarding Mosaico's funding from the Community Development Block Grant (CDBG) program with Council Chairman Parella asking to know why some of the money has not been spent.

Ms. Moreira explained that the regulations have a built in delay problem and that the funds are being spent as soon as practicable.

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Councilman Calouro asked to know if the complex has 60% manufacturing at this time with Ms. Moreira responding that 60% of the property is currently occupied and all of the occupants are manufacturing related.

A discussion ensued regarding the current and future use of the property.

Council Chairman Parella asked to know if Mosaico plans to sell the property once it is rehabilitated and occupied with Ms. Moreira responding that she does not believe there is interest in selling the property.

Council Chairman Parella stated that she understood that Mosaico planned to clean up the property and sell it to commercial owners.

A discussion ensued regarding the possible sale of the property.

A further discussion ensued regarding the number of square feet of building space and the occupancy of this space.

Assistant Solicitor Teitz stated that the selling issue was not relevant at this time since the zoning designation will "run with the land."

Director of Community Development Williamson reported that the Planning Board examined the application carefully and that the overall goal was to preserve as much manufacturing as possible in the complex.

Councilman Calouro asked to know how the minimum percentage of manufacturing will be monitored.

Director of Community Development Williamson explained that the Planning Board finds that a Mosaico "audit" of the usage would be sufficient.

Councilman Calouro expressed concern that the other condominium owners could potentially abandon their manufacturing use in favor of one of the other allowed usages.

Director of Community Development Williamson reported that the 60% rule will apply to the entire condominium and that there would have to be a review prior to any change. Assistant Solicitor Teitz added that the plan would be subject to a Technical Review Committee (TRC) evaluation.

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Council Chairman Parella asked to know if the new zone may be made applicable to the Mosaico-owned portion only with Assistant Solicitor Teitz responding that it was not possible to do so.

Ms. Sparkman stated that the Condominium Association agreement would reflect the 60% manufacturing overall rule and the Association would be bound by this agreement.

Ms. Moreira stated that it was very unlikely that the non-Mosaico occupants would want to use the property for other than manufacturing uses since their units are particularly well-suited to their current use.

Councilman Calouro asked to know if the Town can enforce the provisions outlined in a condominium agreement with Assistant Solicitor Teitz stating that he would have to examine these and perhaps add language regarding the particular requirement. He added that any future sales of portions of the property would be subject to the same restrictions.

A discussion ensued regarding the type of conformance review which may be needed with Assistant Solicitor Teitz explaining that there may not be the need to have a TRC review and that review by qualified staff may be sufficient.

Ms. Moreira repeated that it was very likely that manufacturing use will be 80% overall and that the areas in question for non-manufacturing were not conducive to manufacturing uses - some being on the third floor of buildings.

A discussion ensued concerning the physical plant of the building and their condition including rest rooms.

Bernice Iacovelli, of 11 Rock Street, stated that she was in favor of the zone change and that she met with Ms. Moreira concerning same. She expressed concern, however, that the approval was a "blank palate." She also reported that she was very concerned about rumors indicating that the locked gates would be opened but that she was satisfied to learn that these would not be opened except in an extreme emergency.

She added that she has been assured that there would be no hospitals, no K-12 schools, and no fire stations.

Ms. Iacovelli explained that she has continued concerns regarding the physical appearance of Shaw's Lane since there

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are trees growing through the fence and there is rubbish strewn about. She reported that some of her neighbors rent to students who do not maintain their trash receptacles and also that she takes it upon herself to sweep Shaw's Lane. She added that she attempted to contact the absentee landlord about the trash problem and that her letters were returned unopened.

Ms. Iacovelli stated that she was assured that the area will be cleaned-up by 2018 and that she would prefer if this was done sooner and also that she was speaking for some of her other neighbors who rely upon her to bring their message to Town Officials.

Council Chairman Parella stated that she agrees with Ms. Iacovelli and recommended that Mosaico should expedite the physical appearance improvements.

Council Chairman Parella also suggested that the Code Compliance Coordinator may wish to cite the property owner who is non-compliant with trash receptacle maintenance.

Council Chairman Parella added that there should be a specific stipulation in the agreement regarding the use of the locked gates, the clean-up, and the screening of unsightly areas.

Councilman Stuart noted that the Planning Board dropped the clauses concerning the fire station and the technical school.

Ms. Iacovelli suggested that all provisions of the zone change, if approved, should be clarified.

Councilman Stuart noted that he had a problem finding the allowable uses in the Town Code.

Director of Community Development Williamson noted that the provisions are included in the published Town Code and that the Planning Board deleted everything but "museum, fire station, technical trade school, and government office."

Council Chairman Parella stated that she believes that the proposal should be amended before it can be considered further and recommended against further action this evening. She added that she believes that technical training would be acceptable but did not agree that "college" should be included.

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No remonstrance was presented in opposition to the zone change as proposed.

A further discussion ensued regarding the idea of a liquor license.

Director of Community Development Williamson stated that it would be good to resolve this matter along with the zone change since it would be necessary to again rezone the property if a liquor license was to be considered in the future.

She added that the proposed licensee would still have to apply for a license and that the matter would have to be decided by the Council on the merits.

Council Chairman Parella reminded Director of Community Development Williamson that the agreement should include the gates and the screening and that the trade school should be clarified.

2. Appropriation of Funds re Poppasquash Road Water Main Project, Phase II (not to exceed \$300,000)
 - a. Council Clerk Cirillo re approval and authorization to proceed with subject project (draft letter attached)

Herreshoff/Stuart - Voted unanimously to authorize that the project may proceed with the Town's participation and to forward the letter, as prepared, to the Executive Director of the Water Authority.

Calouro/Herreshoff - Voted unanimously to find that based upon the reports given that no public hearing remains necessary.

Prior to the vote taken, a discussion ensued regarding the Council's intention to appropriate \$100,000 from the approved capital budget (2013-2014) and to allow for the additional funds in the upcoming budget cycle thus eliminating the \$300,000 appropriation and the requisite public hearing.

C. ORDINANCES

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1. Ordinance #2014-01, Chapter 8, Boats, Docks, and Waterways, Article I, In General, Section 8-4, Enforcement (hours of operation), **1st reading**

Sweeney/Herreshoff - Voted unanimously to consider this action to constitute the first reading of Ordinance #2014-01. Advertise in local newspaper.

Prior to the vote taken, the Clerk explained that the proposed ordinance structure essentially considers the Harbor Department similarly to that of other Town departments. It was noted that the former ordinance was structured essentially to consider controls over a part-time department and now the Harbor Department functions full-time.

D. LICENSING BOARD - NEW PETITIONS

1. Charles D. Frizado, Jr., d/b/a Wing-N-It, 549 Metacom Avenue - request for Dancing and Entertainment License, **continued from January 29, 2014**

It is hereby noted for the record that this agenda item was continued until March 5, 2014. See motion found above.

2. Lisa Cadan, d/b/a Cadan Chairs, 220 High Street - request for Junk and Secondhand Dealer's License, **call for public hearing March 5, 2014**

It is hereby noted for the record that this agenda item was continued until March 5, 2014. See motion found above.

3. Wendy Duarte, d/b/a Liberty Looks, LLC, 220 High Street - request for Junk and Secondhand Dealer's License, **call for public hearing March 5, 2014**

It is hereby noted for the record that this agenda item was continued until March 5, 2014. See motion found above.

4. Joseph A. Caron, d/b/a Caron's Jewelry, Ltd., 473 Hope Street - request for Junk and

Secondhand Dealer's License, **call for public hearing March 5, 2014**

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police (approve)

Calouro/Herreshoff - Voted unanimously to call for a public hearing to consider this matter on March 5, 2014 beginning at 7:00 o'clock PM. Advertise in local newspaper.

5. Joseph A. Caron, d/b/a Caron's Jewelry, Ltd., 473 Hope Street - request for Holiday Sales License

LATE ITEM

- a. Recommendation - Town Administrator and Chief of Police (approve)

Herreshoff/Sweeney - Voted unanimously to grant this license per the recommendations received and subject to conformance to all laws and ordinances and payment of all fees, taxes, and levies.

6. Yulin Zhang, d/b/a Green Tea Chinese Restaurant, 531 Wood Street - request for transfer of BV Intoxicating Beverage License to Thach Huynh, Pandaria Corp., d/b/a Jin's (new name/owner), **call for public hearing March 26, 2014**

Herreshoff/Calouro - Voted unanimously to call for a public hearing to consider this matter on March 5, 2014 beginning at 7:00 o'clock PM. Advertise in local newspaper.

Prior to the vote taken, the Clerk informed the Council that there was sufficient time to advertise for a public hearing on March 5, 2014.

E. LICENSING BOARD - RENEWALS

F. PETITIONS - OTHER

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1. Ethan M. Tucker, Coastal Products, LLC re request for amendment to Bristol Zoning Code (to allow "Aquaponics" in Manufacturing Zone)

Herreshoff/Calouro - Voted unanimously to refer this matter to the Director of Community Development and Town Solicitor for a recommendation.

Prior to the vote taken, Councilman Herreshoff stated that he did not understand what Mr. Tucker was wishing to do. Mr. Tucker explained that this would be essentially an "old but new process" which combines the processes of Hydroponics and Aquaculture. He added that the process grows plants in water which contains fish and the fish waste becomes fertilizer for the plants.

Councilman Sweeney asked to know if the light used for photosynthesis was natural or electric with Mr. Tucker responding that both natural and electric lighting is used.

Mr. Tucker reported that he already has a 30,000 sq. ft. facility in Pawtucket at the Paramount Card Complex.

Councilman Calouro asked to know if the process was quiet with Mr. Tucker responding that the process is quiet.

A discussion ensued with the Council in agreement that the matter should be referred to the Town Solicitor.

Councilman Herreshoff asked to know if the process was currently prohibited with Assistant Solicitor Teitz responding that if the process is not listed it is technically prohibited.

2. Michael Reed, Secretary, RI Boys State re request for support of American Legion Boys State program

Calouro/Stuart - Voted unanimously to appropriate \$500 from the Town Council Contingency in support of this program and to consider an application for 2015 funding during this year's Budget deliberations.

Prior to the vote taken, Mr. Reed appeared before the Council and explained that the program has been moved from Roger Williams University to St. Andrew's School in

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Barrington and that it will take place June 15 - 20, 2014 this year.

He also explained that the program has been in place since the 1930s and is open to high school juniors who will be entering their senior year. He added that the program costs \$10,000 per year and that the funds are used for meals, pamphlets and study materials. He added that the program serves approximately 70 students and that the staff consists of volunteers.

Councilman Calouro asked to know the number of participants from Bristol with Mr. Reed responding that there are typically two participants and that there is an overall cap on participation due to the cost. He added that this was his second year working on the Boys State program and that he was still learning about it.

Councilman Sweeney asked to know how one would apply to be a participant with Mr. Reed responding that interested students can contact him or Mr. Lavasseur and that the group will be contacting high schools in the state to recruit participants.

Mr. Reed noted that the companion program Girls State is sponsored by the American Legion Auxiliary. He noted that the two are merged in Rhode Island.

Council Chairman Parella recalled that the Council made an appropriation to support this endeavor from its Contingency account.

It was suggested that the Boys State should have consideration during the budget deliberations.

G. APPOINTMENTS

1. Auxiliary Harbormasters, **continued from January 29, 2014**
 - a. Auxiliary Harbormasters (current list)
 1. Mark Grey, 608 Wood Street - interest/reappointment
 2. Kevin P. Amaral, Sr., 32 St. Elizabeth Street - interest/reappointment

Calouro/Herreshoff - Voted
unanimously to refer this matter to
the Town Administrator so that he
may recommend a policy for Council
consideration.

Prior to the vote taken, a discussion ensued regarding this matter with Council Chairman Parella noting that the question regarding overtime pay for those persons who may reach an excess of 8 hour per day (while working in two separate departments) remains unresolved. She suggested that the Administration should recommend a policy on this matter for Council consideration.

Council Chairman Parella suggested that if the applicants cannot regularly work at the two jobs due to the overtime pay requirement, that these persons might be appointed with authority to serve only in extreme emergencies.

Councilman Herreshoff agreed that paying an overtime rate was problematic since the budget allows only for a straight-time rate.

Assistant Solicitor Teitz indicated that the statute appears clear in that employees with the same employer must be assured overtime pay for greater than 8 hour days and/or 40 hour weeks.

H. OLD BUSINESS

1. Public Works Director Galuska re downtown area litter control (street vacuum description attached), **continued from November 20, 2013**

Calouro/Herreshoff - Voted
unanimously to refer this matter to
Councilman Herreshoff.

Prior to the vote taken, Councilman Herreshoff suggested that he might be afforded additional time to investigate the availability of the vacuums with the intention of obtaining one or more of these for no or reduced cost.

2. Paul Mancieri, for Leo's Pizzeria and Deli, Inc., d/b/a Leo's Ristorante, 365 Hope Street - request for amendment of outside dining ordinance (see attached Town Code § 25-10(c)) to allow for alcoholic beverage service; and

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expansion of Class BV licensed premises,
continued from January 8, 2014

It is hereby noted for the record that this matter was continued until March 26, 2014. See vote above.

3. Robert Vanderhoof, for Vanderhoof-Meyers, Inc., d/b/a Roberto's, 450 Hope Street - request for amendment of outside dining ordinance (see attached Town Code § 25-10(c)) to allow for alcoholic beverage service; and expansion of Class BV licensed premises,
continued from January 8, 2014

It is hereby noted for the record that this matter was continued until March 26, 2014. See vote above.

4. Director of Community Development Williamson re Application for Tax Stabilization - Riley Kitchen and Bath, 369 Metacom Avenue,
continued from January 29, 2014

LATE ITEM

- a. Tax Assessor/Collector Belair re request for continuance (March 5, 2014)

It is hereby noted for the record that this matter was continued until March 5, 2014. See vote above.

5. Animal Shelter Capital Project Committee minutes; September 26, October 24, and November 25, 2013 (also found in section AA below)

Stuart/Calouro - Voted unanimously to receive and place this matter on file.

6. Councilman Sweeney re Recycling Committee update

It is hereby noted for the record that this matter was discussed at the commencement of this evening's meeting, as noted above, and also that the Council received the following report and took no specific action concerning this agenda item.

Councilman Sweeney introduced Keith Maloney, Chairman of the Citizen Recycling Committee. Mr. Maloney reported that his Committee is making "exciting progress" and explained that

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the Committee will soon begin its recycling program within the Bristol-Warren schools.

He added that he and Committee members Stephen Katz and Stan Dimock have been working with school personnel and that there will be a formal "kick-off" on March 1. He reported that 413 special recycling stations are being prepared for the schools and that these are specially designed to be used for milk and juice containers. He added that these containers were previously disposed of as regular trash. He also reported that the schools will have laminated recycling posters for informational purposes.

Mr. Maloney reported that the schools have been most cooperative and that Superintendent Melinda Thies has participated in the sessions.

Mr. Maloney provided a depiction of the recycling station and explained that Adelino Almeida Finish Carpentry, Bristol Marine, Jamestown Distributors, Tri-Mack Plastics, Melinda Thies, Pauline Silva, George Simmons, Town Administrator Teixeira and Public Works Director Galuska all participated in the realization of same. He also explained that the project received the support of the Carton Council of America.

A short film "commercial" was viewed. Mr. Maloney recognized two of the film's participants present, Kiley Bouchard and Jakai Deshales, both 5th grade students at Hugh Cole Elementary School and their teacher, Marilyn Jones.

Council Chairman Parella thanked the students and their teacher for producing the film and also thanked the various contributors to the recycling station project.

Mr. Maloney explained that the schools will now "capture" 540,000 milk and juice cartons as part of this recycling effort and that formerly there was no recycling program and all of these were placed in the trash. He reported that the Public Works Departments in Warren and Bristol will begin collecting recyclables at the schools on February 24, 2014.

Mr. Maloney reported that the date of the recycling competition between Bristol, Portsmouth, Middletown and Newport will be announced on February 24, 2014 and that the details of this activity are in development. He added that the contest will include an art competition also for grades 1-12 and that there will be 5-7 judges which will be Bristol citizens.

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Mr. Maloney reported that the recycling ordinance subcommittee is working also and that the next "Bristol Recycles" activity will take place on April 26, 2014 at Independence Park.

Mr. Maloney suggested that his Committee should have an annual budget and that grants have been sought from the Bristol Warren Education Foundation and Roger Williams University. He added that the group plans a fundraiser screening of a film entitled "Trashed" which is a "stunningly disturbing" 45 minute documentary. He added that the Committee must provide 10% of the admissions charged to the producers of the film and that he would like for the film to be shown in the High School Auditorium with a companion display in the Auditorium lobby.

Mr. Maloney informed the Council that the Committee has not yet received permission to use the Auditorium.

Mr. Maloney thanked the following Committee members; Bob Aldrich, Camille Dale, Chip Cavallaro, Dennis Doyan, Erich Haslehurst, Ethan Tucker, Jen Evans, Jim Galuska, Kaitlyn Costa (MHHS), Keith Maloney, Kim Conlon (MHHS), Kristen Audette (RWU), Krystal Noiseux (RIRRC), Paul Wheeler, Rebecca Cunha (MHHS), Samantha Faria, Scott Yonan (RWU), Stan Dimock, Steve Katz, Tim Sweeney, Tom Slater and Zlatomir (Zee) Popov.

Councilman Sweeney thanked Mr. Maloney and his Committee for their efforts.

I. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Tax Assessor/Collector Belair re Audit for Tangible Tax

Calouro/Herreshoff - Voted
unanimously to receive and place
this matter on file.

Prior to the vote taken, Tax Assessor Belair provided a folder containing the various forms used for this purpose. She explained the process in detail and also reported that she received 761 tax returns but finds that there are 900 businesses existing via the internet.

She added that she is attempting to locate these additional businesses so that they may pay any taxes that are due.

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A discussion ensued with Council members asking questions regarding depreciation, etc. Tax Assessor Belair responded that the depreciation follows rules as established by State statute.

Council Chairman Parella noted that some persons provide the "Blue Form" to the Town every year and that it is routine for them. She added that some who had not filled out the form previously find it to be confusing.

The Council was in agreement that it would have been advisable to hold workshops prior to stepping-up enforcement since this would have afforded the non-conforming businesses the opportunity to learn about the process, forms, etc., before these were due.

It was noted for the record that Tax Assessor Belair plans to visit the Bristol Merchants Association, the Rotary Club, and others to explain the requirements of the assessment. She informed the Council that the purpose of the tax return is to assure that taxation is equitable between similar businesses.

A discussion ensued regarding the Assessor's request to receive certain IRS filing information with Tax Assessor Belair informing the Council that the IRS information is requested but it is not a requirement. She noted that the documents are requested to verify certain information and that this information is available on insurance policies also. She added that it is unacceptable to put "same as last year" on a Blue Form and that this is done frequently by taxpayers.

Council Chairman Parella asked about the March 15 deadline with Tax Assessor Belair responding that there is some flexibility with this date.

Council Chairman Parella noted that she has heard from constituents that the forms and requirements have created elements of fear.

A further discussion ensued regarding the need to have regular workshops and easy to understand instructions for the taxpayers.

Tax Assessor Belair suggested that there may be as many as 2000 businesses and that her goal is to "clean-up" the list.

Council Chairman Parella noted that requesting three years of income tax returns was "scary."

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Town Treasurer Goucher responded that the Finance Department tries not to be threatening and that persons with questions or concerns should be encouraged to call on the telephone. She also noted that Tax Assessor Belair is "approachable."

Council Chairman Parella suggested that the Town should endeavor to "get the word out" regarding the availability of informational sessions.

Town Administrator Teixeira noted that these may be advertised and/or announced on the Town's website and also in the local newspaper.

Council Chairman Parella suggested that the Town may wish to undertake a mailing to the Chamber of Commerce and other like organizations.

Councilman Stuart stated that it would have been preferable to have workshops prior to "scaring people" with the accelerated effort.

Assistant Solicitor Teitz noted that someone who fails to file the Blue Form is unable to appeal his or her tax bill.

2. Council Clerk Cirillo re Discussion at February 5, 2014 Special Meeting - Ferry Road and Tanyard Brook project

LATE ITEM

- a. Kevin Aguiar to Town Administrator Teixeira re Tanyard Brook Progress Report (received at meeting)

Calouro/Sweeney - Voted unanimously to receive and place this matter on file.

Prior to the vote taken, Town Administrator Teixeira noted the receipt of this update from Kevin Aguiar of BETA Group. Councilman Stuart asked to know if cost estimates are being refined with Town Administrator Teixeira responding affirmatively.

Council Chairman Parella asked to know the portions of Phase I remaining incomplete with Town Administrator Teixeira responding that these include basically "touch-up" issues.

A discussion ensued regarding the Ferry Road piping with Council Chairman Parella asking to know if Town Administrator Teixeira was in contact with Roger Williams

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University in regard to same. Town Administrator Teixeira responded that he had not yet done this because the University was already busy with other items but plans to do so in the near future.

3. Luis Rodriguez, P.E., Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration re revised Flood Insurance Study materials

Herreshoff/Stuart - Voted unanimously to refer this matter to the Town Administrator and Director of Community Development so that they may provide access to these materials for the benefit of the public.

Prior to the vote taken, Director of Community Development Williamson noted that her office is the repository for these types of maps.

Councilman Herreshoff asked to know if these are affixed to a wall so that they may be easily viewed with Director of Community Development Williamson responding that she makes them available to the public.

Councilman Stuart noted that residents are "irked" about the proposed rate increases for flood insurance.

Director of Community Development Williamson noted that some of the changes may be postponed. She also noted that her Department will soon recommend an ordinance for adoption by the Council. She added that there is little flexibility with this adoption per the Federal laws and that the ordinance will have to be adopted verbatim.

Councilman Herreshoff asked to know what would happen if a "glaring error" was observed with Director of Community Development Williamson noting that the comment and appeal period has lapsed. She added that there was considerable time allotted for this purpose.

J. **BILLS & EXPENDITURES**

1. Bid #793-2 - Maintenance Service of Elevators in Town Buildings (Re-bid)

Herreshoff/Stuart - Voted unanimously to reject this bid and

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to refer this matter to the Town Administrator to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bid as received:

Atlantic Elevator	Seekonk, MA	\$1,125/month
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Town Treasurer Goucher noted that the amount was greater than anticipated and suggested that the bidding company may have misinterpreted the Town's requirements. She suggested that the Council may wish to reject the bid(s) and allow the administration to revisit the matter.

2. Bid #803 - Harbor Patrol Boat

Calouro/Stuart - Voted unanimously to refer this matter to the Town Administrator to act in the best interest of the Town.

Prior to the vote taken, the Clerk read the following bids as received:

Harbor Guard Boats	Ontario, CA	\$164,000 (boat) \$7,400 (trailer)
Metal Shark Alum Boats	Jeanerette, LA	\$134,181.21 (boat) \$11,659 (trailer)
Hahn Power Boats	Sarasota, FL	\$118,900 (both)

Also prior to the vote taken, a discussion ensued with Councilman Stuart suggesting that the Town may wish to contact specifically local boat manufacturers with Harbormaster Marsili noting that the current boat was manufactured locally by Shannon Boat.

A question arose regarding the more expensive trailer with Harbormaster Marsili explaining that this additional cost would make sense in this case since the aluminum boat is likely heavier. He also explained that an equivalent boat from Shannon would cost \$250,000 in 2014.

Councilman Sweeney asked to know if it may be possible to purchase a used boat with Harbormaster Marsili responding that he did consider this and found the boats available to be inferior. A smaller boat was also suggested with Harbormaster Marsili noting that the boat is sized to complete the work required. He added that he considered a size suitable for mooring maintenance and that the correctly sized boat would

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allow for this to be done in-house. He also noted that he intends to reuse some of the equipment contained in the current boat in the new one in order to save money and that the old boat will be sold to offset the cost of the new one.

It was noted that the bidders seemed to obtain the bid specifications through the new bidding system on the internet. Council Chairman Parella stated that she was surprised to learn that there were no bidders from New England with Harbormaster Marsili responding that the lack of local bidders was a surprise to him also.

A discussion ensued regarding the outfitting of the boat in question with Harbormaster Marsili noting that the boat bid includes the motors and that these motors will cost \$30,000 minimum.

Councilman Herreshoff asked to know if grants were available to purchase the boat with Harbormaster Marsili stating that he was working on this aspect of the financing of the boat.

Councilman Herreshoff suggested that the bids might be rejected with Assistant Solicitor Teitz stating that the better alternative this time would be to refer the matter to the Town Administrator which would allow for negotiations.

K. SPECIAL REPORTS

L. TOWN SOLICITOR

1. Town Solicitor re Bristol County Water Authority 2013 Legislation (standards for removal), **continued from January 8, 2014**

Calouro/Herreshoff - Voted
unanimously to refer this matter to
the Town Solicitor.

Prior to the vote taken, Assistant Solicitor Teitz reported that each of the three member towns are supposed to determine criteria for removal of Board members and also that none of the towns wished to go first.

A discussion ensued regarding what these criteria might be with Council members in agreement that the Council would prefer to have fairly broad options to consider if removal of a Board member is contemplated.

Assistant Solicitor Teitz agreed to draft a resolution for the Council to consider.

M. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. Parella

a. Valentine's Day - Council Chairman Parella noted the approaching Valentine's Day and also the approaching winter school vacation.

2. Herreshoff

a. Presidents' Day - Councilman Herreshoff noted the approaching Presidents' Day and reminded those present that today is Abraham Lincoln's birthday.

b. Council Chairman Parella's Birthday - Councilman Herreshoff reported that Council Chairman Parella celebrated her birthday on Monday, February 10.

c. Pier Survey - Councilman Herreshoff asked to know if there was a survey of the proposed pier area north of State Street. Town Administrator Teixeira and Director of Community Development Williamson reported that they will be meeting to review same with the surveyor.

d. Junction Flagpole - Councilman Herreshoff again raised the issue of the flagpole at the junction of Thames and Hope Streets which is out of plumb. He reminded the Council that repairing this flagpole is "a matter of pride."

Town Administrator Teixeira reported that the repair of the flagpole is pending and "weather dependent."

3. Calouro

a. Police Department - Councilman Calouro congratulated the Police Department on their accreditation award.

b. Joint Finance Committee - Councilman Calouro reported that the Bristol Warren Regional Joint Finance Committee will have meetings on March 6, 2014 (presentation - Kickemuit Middle School) and March 27, 2014 (budget vote - location TBD).

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Councilman Herreshoff stated that he did not find the High School arrangement to best suit the Committee. Councilman Calouro reported that the Committee will use a horseshoe-shaped table in the future.

4. Stuart

a. Thanks to Mike Davis and Mark Bucolo - Councilman Stuart recognized the videography work of Messrs. Davis and Bucolo.

b. Public Participation - Councilman Stuart recognized the participation of the public at this evening's meeting.

5. Sweeney

a. Mardi Gras - Councilman Sweeney announced the annual "Mardi Gras" activity in support of the Animal Shelter. He reported that the event will be held on Saturday, March 1, 2014 at the Linden Place Ballroom and that tickets are available at \$75 per person.

N. TOWN ADMINISTRATOR AGENDA ITEM(S)

1. Police Accreditation - Town Administrator Teixeira stated that the Town was fortunate to have an accredited Police Department.

2. Snow Storm - Town Administrator Teixeira reported an impending snow storm for tomorrow (February 13) and indicated that there was no parking ban yet in effect. He informed the Council that his administration is cautious about imposing parking bans since these impact businesses, etc.

Councilman Herreshoff asked to know how citizens learn of the parking ban with Town Administrator Teixeira explaining that the announcement is sent to television stations and also that it is posted on the Town's website. It was also noted that the parking ban is sometimes advertised on the portable message boards managed by the Police Department.

3. Thames Street Parking Lots - Town Administrator Teixeira explained that although no

overnight parking is allowed in certain Town parking lots, these lots are available for overnight parking during parking bans. He added that those using the parking lots for this purpose should remain vigilant since the authority to park in them changes once the parking ban is lifted.

4. Wind Turbine Complaint Update - Town Administrator Teixeira reported that the matter is in Municipal Court with a trial pending.

He also reported that Joseph Coelho, the turbine owner, has agreed to mediation and is willing to attend mediation sessions. He added that the complainant, Mr. Alves has not responded to the calls placed to him by the mediation clinic.

Town Administrator Teixeira added that the Town is also investigating the so-called "buffer" which was to be maintained by the residential property owners in Mr. Alves' neighborhood. He reported that some of the trees in the buffer zone have been improperly removed.

CITIZENS PUBLIC FORUM

Consent Agenda Items:

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

Approval of consent agenda="Motion to receive and place these items on file."

1. Animal Shelter Capital Project Committee - September 16, 2013 (also found in section H above)
2. Animal Shelter Capital Project Committee - October 24, 2013 (also found in section H above)
3. Animal Shelter Capital Project Committee - November 25, 2013 (also found in section H above)

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4. Bristol Warren Regional School Committee - November 12, 2013 (amended 12/3/13)
5. Bristol Warren Regional School Committee - December 9, 2013
6. Bristol Warren Regional School Committee - January 13, 2014
7. Harbor Commission - February 3, 2014

(CA) BB. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor/Collector Belair - Recommended Abatements & Additions for February 2014

(CA) CC. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place these items on file."

1. Town Treasurer Goucher re Budget Report Summary - Monthly/Quarterly Period Ending December 31, 2013
2. (Town Treasurer Goucher) re Revenue and Expenditure Statement - February 7, 2014

(CA) DD. PROCLAMATIONS, RESOLUTIONS & CITATIONS

Approval of consent agenda="Motion to adopt these Proclamations, Resolutions and Citations as prepared and presented."

(CA) EE. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. Department of Public Works - Road Cut Permit

(CA) FF. UPCOMING APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

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(CA) GG. CITY & TOWN RESOLUTIONS NOT PREVIOUSLY CONSIDERED

Approval of consent agenda="Motion to receive and place these items on file."

(CA) HH. DISTRIBUTIONS/COMMUNICATIONS

Approval of consent agenda="Motion to receive and place these items on file."

1. Coastal Resources Management Council - February 2014 Calendar
2. Warrant - Marie P. Tucker, Board of Tenants' Affairs
3. Warrant - Manuel N. Cotta, Jr., Bristol Housing Authority Board of Commissioners
4. Warrant - Howard P. Brelsford, Commissioners of the Cemeteries
5. Warrant - Dr. Thomas G. Breslin, CRMC Subcommittee Alternate
6. Warrant - Gregg M. Marsili, Harbormaster
7. Warrant - Michael King, Tree Warden
8. Warrant - Bryan Leffingwell, Waypoysset Preserve Trust Board of Directors
9. Warrants - Fire Department Special Constables
10. Alan C. Klepper, Chairman, BCWA Board of Directors - Resolution re Bristol County Water Authority By-Laws, amended October 23, 2013
11. Town Council Clerk and Clerk Pro-tempore of the Tri-Town Councils Cirillo to Pamela Marchand, P.E., Executive Director, Bristol County Water Authority re BCWA-Pawtucket Pipeline Interconnection

(CA) II. DISTRIBUTIONS/NOTICE OF MEETINGS
(Office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. Bristol Warren Regional School District - Schedule of Meetings, Week of February 2, 2014
2. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - February 3, 2014
3. Harbor Commission - February 3, 2014
4. North and East Burial Ground Commission [sic] - February 10, 2014
5. Bristol Warren Regional School District Schedule of Meetings - Week of February 9, 2014
6. Bristol Warren Regional School Committee Special Meeting - Hearing, February 10, 2014
7. Bristol Warren Regional School Committee Personnel/Contract Negotiations Subcommittee Meeting - February 10, 2014
8. Bristol Warren Regional School Committee Meeting/Workshop - February 10, 2014

(CA) JJ. CLAIMS

Approval of consent agenda="Motion to refer these items to the Insurance Committee and at its discretion to the Interlocal Trust."

At the conclusion of the public agenda:

There being no further business, upon a motion by Councilman Calouro, seconded by Councilman Sweeney and voted unanimously, the Chairman declared this meeting to be adjourned at 10:42 o'clock PM.

Louis P. Cirillo, CMC
Council Clerk